

REMARKS

Claims 3-6 and 20-26 are pending in the application.

Claims 21-26 were allowed and claims 3-6 and 20 were rejected in the final Office action (Paper No. 7).

In paragraph 2 of the Office action, claims 20, 3, 4 and 5 were rejected under 35 U.S.C. §102(b) for alleged anticipation by Tanaka *et al.*, Japanese Patent Publication No. 10-268703.

In Verdegaal Bros., the Court held that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros v. Union Oil Co. of California, 814 F.2d 628 (Fed. Cir. 1987).

Here, Tanaka *et al.* does not disclose the limitation of “wherein an outer circumstance of said mass body and an inner circumference of said photosensitive drum along an entire longitudinal length of said photosensitive drum are separated from each other by a gap, and are not contact with each other.”

The examiner asserted that Figs. 1, 2 and 6 of Tanaka *et al.* showed the present invention. However, Fig. 1 shows that the Tanaka invention has the adhesives 3 which carry out adhesion fixation of the inner surface of the drum 1 and the periphery side of the mass body 2. (See also the explanation of Fig. 1 at paragraph 0008.) Fig. 2 is a sectional view of Fig. 1. Fig. 6 is a drawing explaining the manufacture method of Fig. 1.

Accordingly, Figs. 2 and 6 have also the adhesives. That is, in Tanaka et al., an outer circumference of the mass body 2 and an inner circumference of the drum 1 are not separated from each other by a gap *along an entire longitudinal length* of the drum.

Therefore, Tanaka et al. does not anticipate claims 20, 3, 4 and 5.

Withdrawal of the rejection is respectfully requested.

In paragraph 4 of the Office action, claim 6 was rejected under 35 U.S.C. §103(a) for alleged unpatentability over Tanaka et al. in view of Ogasawara *et al.*, Japanese Patent Publication No. 08-202206.

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981 (CCPA 1974)). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385 (CCPA 1970).

Here, claim 6 depends from claim 20, and includes the limitations of claim 20. As stated above, a gap (claimed in claim 20) between the photosensitive drum and the mass body along an entire longitudinal length of the photosensitive drum is neither found nor suggested in Tanaka et al. and Ogasawara et al. taken separately or in combination.


Therefore, the examiner fails to establish a prima facie case of obviousness.

Withdrawal of the rejection is respectfully requested.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

No fee is incurred by this Amendment.

Respectfully submitted,


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